



Amend / a
1-29-97
(part 2) P. # 12

1-1594M

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
Zdeblick et al.)
Serial No. 08/411,017)
Filed March 27, 1995)
Interbody Fusion Device and)
Method for Restoration of)
Normal Spinal Anatomy)

Before the Examiner
David J. Isabella
Group Art Unit 3308
November 15, 1996
DEC 4 1996

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on Nov. 13, 1996

(Date of Deposit)
MICHAEL D. ECK
Name of applicant, assignee, or
Registered Representative
MICHAEL D. ECK
Signature
Nov. 15 1996
Date of Signature

AMENDMENT AFTER FIRST ACTION

Assistant Commissioner for Patents
Washington, D. C. 20231
Sir:

In response to the Office Action dated July 15, 1996, please consider the following. Additionally, please provide any extensions of time which may be necessary and charge any fees which may be due to Deposit Account No. 23-3030, but not to include any payment of issue fees.

IN THE CLAIMS:

Please cancel claims 15-27 without prejudice as being drawn to a non-elected invention.

Please amend claims 1, 2, 4, 6, 7 and 12 as follows:

1. (amended) A fusion device for facilitating arthrodesis in the disc space between adjacent vertebrae, comprising:

A¹
an elongated body having a length between a first end and a second end thereof, and a first diameter at [a] said first end sized to be greater than the space between the adjacent vertebrae, said body further defining a hollow interior sized to receive bone [graft] growth promoting material therein;